

TIVERTON TOWN COUNCIL

Regular Meeting: Monday, January 11, 2010 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 01-07-10

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin-President

JoAnne Arruda-Vice President

Hannibal Costa

Louise Durfee

Jay Lambert

Cecil E. Leonard

Edward Roderick

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.) 1. a. Approval of Minutes from December 14, 2009 Regular Council Meeting
Councilor Arruda abstained - absent

b. Approval of Executive Session Minutes from December 14, 2009
Councilor Arruda abstained - absent

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

a. Harbor Commission

b. Wastewater Management Commission

c. Historical Cemeteries Commission

d. Conservation Commission

e. Art's Council

f. Planning Board (3)

(C.A.) 3. Correspondence – Receive and File

a. Received From City of Newport – Council Resolution Opposing Location of a Liquefied Natural Gas Facility in Mount Hope Bay

b. Received From Town of Portsmouth – Council Resolution Opposing House Bill 5931/Senate Bill 606 Requiring Local Tax Collectors to Notify RI Housing & Mortgage Corp of Pending Tax Sales

c. Received From Senator Louis P. DiPalma Related to Attending the January 25th Council Meeting

d. Received From Westerly Town Council Resolution Relative to Relief From Unfunded Mandates

(C.A.) 4. Approval of Tax Assessor Abatements

(C.A.) 5. Request for Town Clerk to Advertise Bid for Postage Meter

- (C.A.) 6. Report From Town Clerk Relative to Records Preservation and On-Line Recording
- (C.A.) 7. Approval of Joint Petition to Place New Verizon New England and Narragansett Electric Joint Pole and Sidewalk Anchor Guy on Old Main Road – Response from DPW Director S. Berlucchi

B –PUBLIC HEARING –ADVERTISED

1. Town Administrator — Chapter 14 – Boats and Waterways
Proposed Adoption of Amendment to Fee Resolution Raising Mooring Fees and Providing Discounts for Early Payment – Continued From December 14th
2. Town Council – Chapter 38 – Environment – Earth Removal – Proposed Adoption of Amendment to Chapter 38, Article III, Earth Removal, Establish the Town Council as the License Board for Earth Removal Operations

C - APPOINTMENTS & RESIGNATIONS:

1. Street Committee – Re-Appointment of Rosemary Eva to Street Committee

D – BIDS AND REQUESTS FOR PROPOSALS

E- BOARD OF LICENSING COMMISSIONERS

1. Annual Renewal of Countryview Estates LLC License – Continued From November 23, 2009 Council Meeting
 - a. Memorandum From Solicitor

F – FINANCIAL BUSINESS:

1. Councilor Leonard – Request Status of Tiverton Police Pension Fund and copy of Latest Actuary Report.
Presentation on Status of Tiverton Police Pension Fund by William F. Greene, Bank of America-Merrill Lynch

G - UNFINISHED BUSINESS:

1. Resolution establishing Municipal Building Feasibility Advisory Committee

H - NEW BUSINESS:

1. Town Administrator - Request Budget Workshop with Town Council on Tuesday, January 19 to Review FY 2010-2011 Budget With Invitation to (4) Legislators For Discuss Governor's Supplemental Budget
2. Town Administrator – Request Public Hearing for the Tax Stabilization Ordinance Revision

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

1. Councilor Roderick – Request for Report on Investments From Town Treasurer

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

1. Reports From Robert L. Hoffman, Hoffman Engineering, Inc. Relative to Bay Street Remediation Weekly Meetings
 - a. Report Week of December 8th through January 4, 2010
 - b. Report Week of January 5, 2010

5. CLOSED EXECUTIVE SESSION

1. Town Solicitor - Litigation – 42-46-5(a) (2)
2. Town Administrator – 42-46-5(a)(2) - Collective Bargaining-Teamsters, IAFF& IBPO
3. Town Administrator – 42-46-5(a)(6) - Prospective Business or Industry

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

6. **ADJOURNMENT** Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”